XII A - 14

2158. Sylhet: Report on Sylhet. by J. H. Hills. 1853.
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Sylhet: Report on Sylhet

By

J. H. Mills.

1853

FROM A. J. M. MILLS, ESQ.,

Officiating Judge, Sudder Court,

(On deputation,)

TO CECIL BEADON, ESQ.,

Secretary to the Government of Bengal.

On the river, the 13th September 1853.

SIR,

I HAVE the honor to submit the following Report on the District of Sylhet.

2. The District of Sylhet, including Jyntea, is stated to contain an area of 5,500 square miles, and a population of about 13,93,050, or 251 souls to the square mile. The boundaries are given in the margin.

North.—The Cossya Hills and the Jyntea Hills.
South.—The District of Dacca and the Independent Hill Territory of Tipperah.
East.—Cachar.
West.—Mymensing.

3. The territory of Jyntea was confiscated and annexed to the British dominion in 1835 in consequence of the forcible seizure of some British subjects who were barbarously sacrificed at the shrine of Kalee, and of the contumacious refusal of the Rajah to surrender the murderers. It consisted of three divisions, the first, or plain country extending from the foot of the hills to the Soorma River; the second, or the central division including all the hills bounded by Cachar on the east and the Districts of the Cossya Chiefs on the west; the third division extending to the Kulling River in Assam. The third division of the territory was annexed to Zillah Nowgong, and is mentioned in my Report in that District. The first division was first united to Cachar, but in consequence of its greater proximity to Sylhet it was transferred to that Zillah, and under Act XXI. of 1836 the general Laws and Regulations were extended to it with the exception of the Stamp Laws, the introduction of which was suspended in consequence of the absence of all written documents and of the general poverty of the people. The central division is under the superintendence of the Political Agent of the Cossya Hills, Colonel Lister, and will be noticed in my Report on that territory.

4. The territory of Jyntea, thus annexed, lies to the northward and eastward of Sylhet, the River Soorma being its southern boundary with the exception of a small Pergunnah containing 15,978 acres, which lies on the

915.41
M 675

south bank jutting into Sylhet. It was measured and surveyed by Captain Thuillier, and its superficial area was found to be 54,881 square miles thus distributed:—

Cultivated.			*Waste.*			*Male Population.*
A.	R.	P.	A.	R.	P.	
81,682	0	27	90,352	0	37	44,542)

5. The Government of the country was like that of Silchar, a pure despotism; the tenures were voidable at the will and pleasure of the Rajah; no class of persons had any recognized rights connected with the lands, but the ryots of substance called themselves "Meerasdars," which is what the Sylhet Zemindars term themselves. The revenue was received by the Rajah in produce and in labor. There were Chowdrees and Sheikdars over the ryots, but they had no right in the soil being mere Tehseeldars.

6. (The District of Sylhet, including Jyntea, is very flat, and in the rains the greater part of it is under water; to the south of Sylhet it presents the appearance of a boundless lake studded with villages built on high mounds. As the mountains are neared the country rises and is interspersed with numerous hillocks. The soil is, for the most part, alluvial, and is extremely fertile.

7. Rice is the staple produce and is exported in large quantities. It is very cheap and of good quality. Mustard, linseed, and sugarcane are the crops which, next to rice, are most extensively produced, but Sylhet is purely a rice country.

8. Traders in Sylhet are very numerous, they carry on a considerable traffic in lime, oranges, timber, bamboo, wax, ivory, and cloths between the plains and the hills; there are no European Indigo Planters, and only one European Trader who deals in country produce. Sylhet, Jyntea poor, and Chattack are the principal places in which commercial dealings are transacted. The principal Rivers are the Soorma and the Khooseearah, which afford great facility for mercantile intercourse between Sylhet, Cachar, and Dacca.

9. The Zillah of Sylhet is divided into 184 Pergunnahs, which are subdivided into 77,400 separate Estates paying an annual revenue of Rupees 4,27,655-8-8.)

10. The Decennial Settlement was formed on a measurement, it was made during Mr. Willis' incumbency, and with the exception of Pergunnah Lushkerpoor, which was transferred from Dacca, and six Pergunnahs in Zillah Russoolgunge, which were jungle and were subsequently measured and assessed, was confined to the cultivated lands. The jungle lands were not included in the jummabundee; subsequently in 1802 the Putwarrees

2286

were called upon to furnish an estimate of the jungle together with their boundaries, which was done, and these lands have been since designated "Illam lands." In 1829 certain tracts of these lands were measured and the Board directed the Collector to bring them under settlement. The Collector settled at once such lands as were undisputed, but whenever any of the Zemindars claimed any portion of the lands as being Lakhiraj or part of their decennially settled Estates, the Collector tried and disposed of the cases under Regulation IX. of 1825. I very much doubt whether the Law has any kind of connection with the claims of Government to assess land not included in the decennially settled Estates, and have delivered this opinion judicially, but it would be out of place to discuss the question here.

11. The number of Estates paying above 1,000 Rupees is only twenty-six. The highest jumma which any Estate pays is Rupees 3,394-5-7, at which sum Talook Gholam Alli is assessed to the State. The Estates are generally very small. The subjoined Statement will manifest at one view the extent to which the Sub-Division of property has been carried :—

	Mehals paying a Jumma less than 8 annas a year.		Mehals paying a Jumma of 8 annas but less than one Rupee a year.		Mehals paying a Jumma of one Rupee but less than 10 Rupees a year.		Mehals paying a Jumma of 10 Rupees but less than 50 Rupees a year.	
	Number.	Jumma.	Number.	Jumma.	Number.	Jumma.	Number.	Jumma.
		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.
Sylhet	16,815	5,533 2 2	8,308	6,002 9 11	35,777	83,891 1 3	4,752	11,755 7 9
Jyntea	6,413	1,394 15 2	3,148	2,406 11 6	10,660	29,652 12 11	428	7,714 4 5
Total ...	23,228	6,928 1 4	11,456	8,419 5 5	36,437	1,13,543 14 2	5,180	1,03,070 4 2

	Mehals paying a Jumma of 50 Rupees but less than 250 Rupees a year.		Mehals paying a Jumma of 250 Rupees but less than 500 Rupees a year.		Mehals paying 500 Rupees but less than 1,000 Rupees a year.		Mehals paying 1,000 Rupees but less than 5,000 Rupees a year.	
	Number.	Jumma.	Number.	Jumma.	Number.	Jumma.	Number.	Jumma.
		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.
Sylhet	913	89,221 7 0	98	33,949 9 7	34	23,035 8 8	26	46,096 11 0
Jyntea	25	2,157 11 1	2	733 0 0	1	500 0 0	...	.....
Total ...	938	91,379 2 1	100	34,682 9 7	35	23,535 8 8	26	46,096 11 0

12. Exeluding the Jyntea holding the Estates of Sylhet paying a jumma under one Rupee are 25,123. The general condition of the agricultural classes in this District is stated to be very indifferent. The Acting Collector remarks,—"From the inquiries I have been able to make it appear

that the maximum quantity of land which a ryot can cultivate is a hal a little more than 3½ acres. After paying the rent and other demands of the Zemindars, called here 'Meerasdars,' and the expenses of tillage, he gets about 6 Rupees from inferior ground, 12 Rupees from middling ground, and 18 Rupees from superior ground as the reward of his labor for the whole year. The consequence of such a state of things is that, in order to obtain a sufficient livelihood, he is obliged to add other occupations to his agricultural pursuit, It may appear strange why in this District, where the crops are generally good, and where the evils of the letting and sub-letting system do not exist, the ryots are not well off. This is, however, explained by the circumstance that here money is scarce and the produce of the fields is very cheap." There are no Mooroosee cultivators in Sylhet, none have any recognized right in the soil, the holdings are dependent on the will of the Meerasdar, and are generally on short leases, a large majority being annual. The houses of the ryots on the banks of the Soorma appear tolerably comfortable, and the villages are surrounded with pretty clumps of bamboos and plantations of betel-nut and fruit trees, and the ryot of Sylhet is certainly not worse off than the ryot of Bengal.

13. The system of collecting the revenue is as follows:—The District is divided into eleven Zillahs, to each is attached a Putwarree with Establishment as noted in the margin. The Putwarree of Jyntea collects the entire revenues of that District which is temporarily settled with the exception of four Pergunnahs, the revenues of which are collected by the Nazir. The Nazir is supplied with a list of the defaulters and sends Peons to realize the rents from them, with orders to attach the personal property of those who do not liquidate the demand against them. The ryots complained to me of the exactions and expenses they were subjected to exceeding, in hundreds of instances, the amount of their rent. I consider this plan of collecting through the Nazir to be most objectionable.

11 Putwarrees, at 20	Rupees	220
22 Mohurrirs, at 7	„	154
37 Chupprassies, at 3	„	111
Total		485

14. The temporarily settled Estates in Sylhet, which are scattered over the whole District, and consist of Illam land, resumed Nunkar lands, Chur Burat, and Khass Mehals, are managed by the Putwarrees in whose Division they are situated. The Putwarrees follow the same process as that adopted by the Nazir. The sale of personal property, if it should be found necessary to resort to this measure, is made by the Sale Commissioner under Act I. of 1844, on the application of the Nazir or Putwarrees.

15. The Collector exercises a discretionary power in advertizing Estates for sale very largely. During the past year he advertised for sale 302 but sold only 47 Mehals bearing a jumma of Rupees 1,080-8-4, which fetched Rupees 10,382-13 or 10¼ times the sudder jumma with which the Estates were charged.

16. The fiscal administration is exhibited in the subjoined Statement:—

Balance on account of former years.	Demand for 1862-63.	Total Jumma.	Total Collection.	Remission.	Balance.	Since realised.	Remitted by order of Authority.	Reported for remission.	Under realisation.
Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
14,516 7 6	4,37,655 8 9	4,42,171 0 1	4,25,393 2 9	2,300 3 11	14,477 12 3	10,794 12 7	1,966 0 8	1,463 9 8	554 5 10

and as respects the realization of the revenue has been very successful, considering that each little Estate is divided and sub-divided into innumerable fractions and owned by upwards of 1½ lacks of registered proprietors and including unregistered proprietors by a quarter of a million. I am of opinion the present conjoined system of the sale of the Estate, and the distraint and sale of personal property at the discretion of the Collector, which is analogous to the plan followed in Cuttack, is the best adapted to the circumstances of the country. It is the system most agreeable to the Zemindars and was introduced at their solicitation, while it is attended with the least possible disturbance to vested rights and involves no injury to the interests of revenue.

17. The only change I would advocate is the establishment of two or three branch Treasuries in the Mofussil. I am of opinion that it would be both to the benefit of Government and the community to adopt this system. It before prevailed and, I understand, was much appreciated. The heads of the establishment I would invest with the powers of a Deputy Collector for the purpose of trying suits for arrears and exactions of rent.

18. The revenue would, I feel confident, be realized under this system with greater punctuality. The harassment and expense which the rent-payers are subjected to, and which is a fertile subject of complaint, would be greatly diminished, and the immense labor of keeping the accounts of so large a body of rent-payers in one Office under the supervision of the Collector would be divided and be better performed in three Offices under the superintendence and on the responsibility of three superiors.

19. The late Commissioner, Mr. Raikes, mooted a proposition for allowing proprietors of Estates of less than 1 Rupee jumma to redeem the land tax paying ten times the amount of the jumma fixed on their Estate without the guarrantee of any better title than what the owner already possessed, and called upon the Collector to ascertain whether such a measure would be likely to be appreciated by the owners. The Collector reported that the proposition seemed, as far as he had the means of ascertaining, to be acceptable to the majority of the Malgoozars. The management of Sylhet is little different

from that of Jyntea, a temporary settled territory. Both may be termed large Khas Mehals, and I imagine that the Commissioner had no intention of extending his proposition to temporary settled Estates. The arrangement would relieve the Office from numberless matters of reference and detail and admit of a reduction of the Tehseil* Establishment to the extent of one-third, so that, supposing the proprietors of such Estates were permitted to purchase a rent-free title, there would be still 35,777 Estates paying 1 Rupee and less than 10, and for collecting the revenue of these and the other Estates in the District it would be necessary to keep up the greater portion of the Putwarree Establishment. I do not myself see any sufficient reason for allowing these petty Zemindars to redeem their land tax, and even if the proposition should find favor with His Lordship I would suggest that its execution be deferred until the District has been surveyed and the area of each Estate has been ascertained, so that we may know before we sell what land we relinquish, and on what terms it would be fair to relinquish it.

* The Tehseil Establishment, including the Putwarree Establishment, now cost 801 Rupees per mensem, or 9,600 per annum, or 2½ per cent on the collection.

20. The settlement of Jyntea was first concluded for a period of five years, it was then extended to ten, and subsequently to fifteen; but the date from which the settlement of the different Pergunnahs took effect varied, and the consequence is that the settlement of four Pergunnahs expired on the 1st May last, six more will expire on the 1st May 1854 and the remaining eight on the 1st May 1855. The Collector is of opinion that there are but few cases in which the jumma will bear enhancement, and proposes to extend the term of leases to a reasonable period. The Commissioner called for a statement shewing the difference between the standard rates of Sylhet and those of the Jyntea Settlement, and from this it would appear that, were the rates assimilated to the rates of the newly-settled lands which are in close contiguity to Jyntea, the jumma would be increased by Rupees 17,952-12-1. As regards the financial condition of the Province the Collector observed,—"Formerly there would be no difficulty in increasing the Government revenue from the Jyntea Mehals, but at present many Pottadars have failed to pay in their dues, consequently their Pottahs have been cancelled and the balance reported for remission. It appears from the state of the country that people are now in greater poverty than they were heretofore."

21. I have received upwards of three hundred petitions from the ryots complaining of the highness of the assessment and their inability to meet the demand of Government in consequence of their reduced circumstances. The country for its extent is well populated, the lands on the banks of the Soorma are considered equal in fertility to the best parts of Sylhet, and the rates when compared with those in the adjacent

Jyntea Rates.	
6 Annas per	Khoar or 4-8 per Koolba.
5 Ditto per	Ditto or 3-12 per Ditto.
4 Ditto per	Ditto or 3-0 per Ditto.
2 Ditto per	Ditto or 1-8 per Ditto.
1 Ditto per	Ditto or 0-12 per Ditto.

Pergunnah Tarapp, Sylhet.
1-8 per Khoar.
0-12 per Ditto.
0-10 per Ditto.
0-8 per Ditto.
0-6 per Ditto.

Pergunnahs of Sylhet cannot but be considered to be very moderate. It will be seen also from the accompanying Jumma Wassil Baquee that the settlement jumma has been regularly paid, while the fact of only forty-seven Pottadars out of 20,574 who entered into engagements with the Collector having died or relinquished their lands affords strong collateral proof of the lightness of the pressure of the Government demand.

Appendix A.

22. The rates were purposely fixed very low as the fiscal system which we found in the country was not like our own; rent was paid in kind, and in labor, and it was justly feared, as money was scarce, and the price of it unprecedently high, that the people would be unable to pay money rates fixed with reference to the rates of adjoining Pergunnahs, except at very large sacrifices. It is but reasonable now to suppose that sufficient money has by this time found its way into the country to meet the wants of the community, and that some increase of the rates may be demanded, yet it is stated that there is still a scarcity of the circulating medium and that the cultivators have had other difficulties to contend with. It appears that the lands are very liable to inundation by the hill streams, and this evil has been aggravated by a khal which has opened for itself a large channel intersecting Barodash Pergunnah and running into the Soorma. Whenever a more than usually rainy season occurs the crops are destroyed by inundation caused or increased by this khal.

23. The Commissioner, at the request of the tenantry, desired the Collector to throw a bund over the mouth of the khal, but the Collector reported that the ryots were not unanimous, some wished for its being kept open, and some for its being closed, and there the matter seems to have dropped.

24. The frequent loss of crops, added to the change of system and the scarcity of money, and to the circumstance that agriculture is the only means of subsistence, and rice the only cultivation, have combined to render the condition of the ryot worse than it was under the native rule. All the persons I have conversed with entertain this opinion, and there is no doubt that the people are hard-pressed to fulfil their engagements.

25. It is clear to me that this fine country, though lightly taxed, has felt the want of a fostering landlord. As regards the khal it should have been ascertained, after careful inquiry, whether it would have been more to the advantage of the country to keep it open or close it, and if the latter course were deemed to be most advisable, the rate of the deteriorated land should have been lowered, or remissions commensurate with the losses annually sustained by the cultivator should have been allowed. I suggest this course should now be followed.

26. Again, in 1850-51, the lands were inundated for an unusually long period, which not only prevented the cultivation of much land but destroyed

the standing plant. It will be seen from the jummah Wassil Baquee that the rent, since that period, has been realized with less punctuality, and large balances have, at the close of the year, accrued. A good landlord would have afforded relief to the tenantry, and I am surprized the Authorities did not see the policy of giving* it. In Cuttack I always granted liberal remissions to cultivators in Khas Mehals. To take the revenue from the resources of the succeeding year adds to the distress of the people and protracts the period of returning prosperity.

* In some Pergunnahs the mischief done was very extensive and the loss in the average was calculated to amount to 6¼ annas on the Rupee.

27. The District is divided into an enormous number of petty allotments paying jummas from 6 pie to 2 annas, the holders of these are persons of low caste who in the time of the Rajah were mere laborers and did not cultivate the soil, it was a mistake to convert them into ryots paying direct to Government. The respectable Pottadars who waited on me in numbers complained of this innovation. They say it entailed disgrace on them and caused a want of laborers, and they pray that these petty allotments may be reduced into a reasonable number of large allotments. There is, I fear, little chance of these Pottadars ever consenting to part with the privileges they have obtained, but where practicable amalgamation should be made. In Assam no ryot is permitted to engage for a smaller quantity of land than what will yield 8 annas jumma; he must pay that sum however small the parcel he holds. I think that a similar rule might be advantageously introduced into Jyntea.

28. Though I am of opinion that, under the circumstances above stated, the rates cannot be increased without bearing oppressively on the maintenance and industry of the people, yet I think an attempt should be made to get rid of Khas management, which has not conduced to the prosperity of the country, and to substitute for it a Mouzahwarree settlement, and where that, is not practicable a Pergunnahwarree settlement. Formerly no recognized village boundaries existed, the Surveyor divided the country into 464 villages and communities more or less perfect have accordingly sprung up. I conferred with the ryots on the subject, some were in favor of a Mouzahwarree settlement, stating that they would thereby obtain exemption from the heavy expenses which they now have to pay for Peons' wages; others were against it, alleging that the managers would tyranize over them and deprive them of their lands. The leases will of course make no difference in the settlement made with the ryot, the quantity of land in the occupation of each is ascertained, the assessment is fixed, and pottahs and Kabooleuts are exchanged, he will have only to pay to the manager instead of to the Nazir or Putwarree. With these assurances the well disposed ryots will, I am satisfied, withdraw their objections. There will be no difficulty in getting the respectable men of the country to engage for the revenue of each Pergunnah if not for each Mouzah. The leases should be fixed for a long duration; the manager should have a deduction from the gross assets of 15 per cent. to cover risks and losses, and he allowed to make what he can of waste and uncultivated land. There is at

present about 15 or 16,000 Koolbas out of 18,170, the recorded area, which might be made productive with industry.

29. No rates were imposed upon lands which were out of cultivation at the time of settlement, but a portion of waste land not taxed was included in the holding of each ryot of substance. It is estimated that 6,000 Koolbas of land were thus included, of which it is supposed about half has been brought under the plough. There is no reason why Government should not derive rent from these lands, and to ascertain the quantity thus liable to assessment it will be necessary to re-measure the lands, or at any rate to compare the parcels with the village Maps and define those now under cultivation which were recorded in them as waste; but as the settlement of only four Pergunnahs has expired, I am of opinion that the new settlement should be postponed until 1855-56, when the settlement of all the Pergunnahs will have expired, the existing demand being in the meantime levied from those ryots who do not elect to relinquish their holdings within a time to be fixed for that purpose.

30. There are 21,439 Khas Mehals, the property of Government, (including Jyntea, which contains 20,643 holdings or Estates). Twenty Mehals are assessed and held Khass and 110* are *not* assessed and held Khass; 720 Estates were acquired by purchase, and seventy-five are Churs decreed to be the right of State.

* Of this number ninety-seven Mehals are partly jungle and no one has offered for them.

† Description of Mehals.	No of Mehals	Area of Land
Resumed Mehals under attachment	78	41,126 0 0
Old ditto ditto.	2	7,421 10 0
Total , ...	80	48,607 10 0
Illam Mehal under attachment	17	1,33,934 5 10
Nunkur ditto	7	3,981 0 0
Total ..	24	1,37,526 9 10
Grand Total	104	18,81,131 0 10

31. There are also eleven Mehals which are all jungle, and 104† portions of as many Mehals, *not* the property of Government, held under Khass management. The state of the collection in all these Khass Estates is, as exhibited below, satisfactory :—

	Total Demand	Total Collection.	Balance.	Since realized	Reported for remission	Doubtful.	Remainder
	Rs. As P.	Rs. As P.	Rs. As P	Rs. As P.	Rs A s. P.	Rs. As P.	Rs. As P.
Khass Mehals the property of Government	58,765 1 11	52,211 9 10	5,556 11 0	4,805 15 0	305 11 1	187 3 9	257 2
Khass Mehals not the property of Government ...	640 12 7	570 2 2	67 5 5	.....	. ..	... .	...
Remission .		3 6 0					

32. The resumption decrees from the indefiniteness of their terms have been the cause of much harassment to individuals in the District; they contain a

clause which authorizes the Collector to assess any lands that could be traced out as belonging to the resumed Mehals. This gave rise to persons bringing forward false and vexatious claims to lands on the plea that they had been left out of the settlement. These petitions are called "Tatimma" or supplemental cases, inquiry followed, and in nine cases out of ten it was found that the petition was presented without a shadow of foundation, but merely to annoy. Mr. Mytton, when Commissioner, very properly laid down as a general rule that no further applications should be acted upon, and the evil is somewhat abated; but connected with the 104 portions of Estates above spoken of I find that similar applications have been received, eleven cases are now pending, which have involved investigations spun out to great lengths, the allegation being that some portion of the lands appertaining to the Estate which the Petitioner would point out had not been measured. I recommend that these inquiries be at once put a stop to, the amount at stake is not worth the cost of local inquiry, and if inquiry be deemed necessary I would suggest that it be in no case made without the express sanction of the Commissioner. The settled resumptions contain an area of 31,747 Koolbas, and yield a net revenue of 36,764 Rupees.

33. The Deputy Collectors, Ram Gotty Mittre and Kurream Dad Khan, and Mr. T. P. Larkins were employed during the past year in making settlements, there was little work done, but there was little to be done. It is shown in the margin. The number of settlement cases pending before the Collector is large, and the long period of the dependency of some of them is not, in my opinion, satisfactorily accounted for by the Collector in the explanations afforded to the Board.

	Number of Mehals settled.	Amount.
		Rs. As. P.
Mr. Shawe, Collector	3	566 0 0
Mr. T. P. Larkins	13	199 15 10
Baboo Ram Gotty...	160	1,226 15 10
Moulvee Kurream Dad Khan ...	6	8,130 2 0

Settlements pending.

	More than two years.	More than one year.	Less than one year.
Mr. Shawe	9	1	9
Collector and Assistant	33	26	73

34. The area of the settled "Illam lands" is 46,938 Koolbas, from which a net revenue is derived of Rupees 13,066-1-3. There are 12,241 Koolbas 4 K. which no person has come forward to take, of this land 12,107 Koolbas 8 K. are forest and jungle, and 133 Koolbas 8 K. are cultivated. The inquiries into these unengaged for Illam lands will cost more than the lands will ever pay, and will be very harassing to the people. I would suggest that applications from persons offering to engage for these lands be not acted on until the survey of the District shall have been completed.

35. The expediency of going on with the settlement of the 104 patches of Estates seems to me very doubtful. The land involved in them is 13,373 Koolbas, of which only 185 Koolbas, rated at 255 Rupees, are cultivated. It is a waste of money to depute highly salaried Officers to measure and settle such

lands and to dispose of the numerous disputes connected with them. It would be the better plan to defer the settlements of these lands likewise until the survey shall reach them. I shall advert to the subject of the survey below.

36. The Statement of business as per Appendix B. shews that on the 1st of July there pended the suits noted in the margin. Of the Summary Suits, Miscellaneous Cases, and Appeals twenty-nine pended more than six months, eight more than three, and twenty-seven less than three months. This is not a satisfactory result. In the enforcement of the provisions of the Summary Suit Laws I noticed some matters which require remark.

Appeals of all sorts heard and disposed of by Collectors	64
Summary Suits under Regulation VII. of 1799	206
Summary Suits under Regulation V. of 1812	11
Execution of Summary decrees	86
Appeals against sales referred by Commissioner for investigation and report	2
Pleadings in Government Suit...	1
Butwarrah cases	3
Dakhil Kharij cases	35
Abkarree cases	1
Stamp cases	14
Claims to money in deposit	10
Inquiries relative to Securities...	39
Miscellaneous	198
Total ...	640

37. I find that it is customary in this District to receive the oral and documentary proofs adduced by the complainant in cases under Regulation VII. of 1799 and V. of 1812 before a return of the Dustuck or Warrant is made in the former class of suit and of the notice in the latter. This is a most irregular practice. Secondly, that no time is fixed within which the parties are required to file their proofs in these cases, and it happens that a complainant, though taking no steps, for two months and upwards, to prove his complaint, has been allowed at this late period to adduce evidence and go on with the case. Thirdly, the Collector admits an appeal against every judicial award passed by his Deputy Collector if presented within ten days from the date of the order appealed against instead of exercising a sound discretion in the matter.

38. The practice of registration in this District has almost fallen into total desuetude. There were only 154 applications made for mutation of names during the last year. Where the owners of Estates are so numerous, and the greater part of the revenue is collected by distraint, it would be of great advantage to the Collector to have a register shewing who are the persons responsible for the Government dues, but the expense of registration is a bar to its practicability. The poverty of the people, combined with the smallness of their holding, is the deterring cause, and to carry out the Law it would be necessary to remit the stamp duties and afford facilities for registration in the Mofussil.

39. The management of the Abkarree Mehals was conducted by the Collector up to 1848, when it was made over to the present Deputy Collector Dwarkanath Bannerjea under the control of the Abkaree Commissioner. The supervision was last year re-transferred to the Collector. From 1829-30 to 1846-47 the Abkaree records are extent, during this period the highest demand that for 1829-30, was Rupees 36,312-15-5 and the lowest that for 1835-36 was Rupees 16,862-14-0 it was increased in 1848-49 to Rupees 39,526-1-2 and has now fallen down to Rupees 26,378-1-10.

Abkarree.

40. The management is purely khass, the District is divided into four Divisions, each under a Darogah and Mohurrir with some Peons, the Deputy Collector is of opinion that though there is not much hope for any further increase in the tax, yet it is no less true that the present jummah will not be kept up on the abandonment of the present for the farming system as contemplated. The jummah seems to have risen to the highest amount the District is capable of yielding, the present system has effected this, and I would not interfere with it but it appears to me that the separate Establishment as per margin might be reduced if not altogether abolished by distributing the work amongst the Officers of the Collectorate.

1 Writer.
1 Sherishtadar.
2 Peshkars
2 Mohurrirs.
1 Nazir.

41. There is one Estate by order of the Civil Court, and four parcels of land by the decision of the Magistrate, under Act IV. of 1840, held under attachment. One of the latter has been so held for upwards of ten years. The management of the collections is generally satisfactory. There are no Estates under the Court of Wards.

42. I have been overwhelmed with petitions in this District, presented not only by persons complaining of personal matters but by numerous Zemindars representing wants and grievances of a general nature, which they wish to be laid before the Government. I shall notice the more prominent grievances and the desired remedies under the Departments to which they appertain, omitting those of an insignificant character. The following are the fiscal grievances:—

First point.—That the bunds have been neglected and are out of repair; that as the District is overflowed with water every season the Government should keep in repair, as was done for many years after the Company's accession to the Dewanny, the River Embankments, and make proper roads throughout the District.

These works were abandoned thirty years ago; their abandonment is a subject of general complaint the people have the firmest conviction that the Embankments secured the safety of their crops, which are now often destroyed, but in a District like Sylhet it appears to me that artificial protection is, in the long run, likely to cause more mischief than good; the Rivers are now left to take their natural course. Silt is brought down and spread over the country, and without the clearest evidence of the utility of reverting to the former system I would not interfere with the natural process.

Second.—That the present Sale Law should be modified so as to save from

This is a subject of much importance, and is, I believe, in connection with the

sale fractional portions of the jumma where the revenue is paid up.

Third.—That the Sale Commissioners appointed under Act I. of 1849 collude with pennyless and unprincipled Zemindars and unjustly sell the property of ryots.

Fourth.—That the precedent of the Sudder Court which debars a party considering himself aggrieved by an order of the Resumption Court defining boundaries from applying to the Civil Court for redress is unjust and should be set aside, and that Act I. of 1845 be so far modified as to secure the permanence of sub-tenures.

Fifth.—That cowries, in which currency the revenue of the Decennial Settlement was fixed, were converted into silver at a high rate of exchange, batta being in addition

Butwarrah under the consideration of the Board.

In this District the acts of these Officers are loudly denounced; they are men of low condition in life; they receive no salary; in a poor District like this their fees are scanty, and they do not scruple to abuse, in a shameful manner, the power vested in them. Some have been convicted of fraud, many have been dismissed, and in many cases brought before the Civil Court; their misdeeds have been exposed. The Officiating Collector says,—"Certainly from my little expe-"rience here, and the numerous cases "of 'Loot,' or rather of false attach-"ment and sales effected through the "connivance of the Sale Commissioners "which have come before me, and hardly, "without an exception, true cases, I "must say I think the existence of these "Sale Commissioners a stepping stone "to tyranny and oppression over the "poor ryots." I think it would be a better plan to entrust the duty to the Putwarrees, who receive a handsome salary from Government and are Officers of more trust and respectability.

I cannot support the first proposition, as regards the second I am in favor of a modification of the Law in question so as to render it incompetent for the purchaser at a Government sale to annul sub-tenures which have been granted in good faith at just or high rents duly registered. In this category of grievances the third and fourth seems only to call for notice.

It appears that up to 1226 or 1849 it was the practice to collect the revenue by the Agency of Zillahdars, who received the revenue and remitted it to the Collector. They urge that by

demanded for Sicca Rupees; secondly, that the assets of Estates have been further diminished by assessing the jungle or "Illam" lands; thirdly, the item called Tehseil expenses which was included in the assets of the Decennial Settlement should be deducted, as the expense of sending Omlah into the Mofussil to collect the revenue is not now incurred by Government; fourthly, that Putwarree expenses were also included in the jumma of the Decennial Settlement, and that as these Officers are now the salaried Officers of Government this item should be deducted; fifthly, that the Zemindars are unfairly made to pay the expenses of the Police Dâk; sixthly, that the jummabundee of the Decennial Settlement included rates on poppy land, and as Opium cultivation is stopped the rates should be proportionately lowered or the cultivation be permitted; and seventhly, that the great and general poverty of the inhabitants demand the exemption of the District from the operation of the Stamp and Abkarree Laws.

having to remit the revenue to Sylhet they are subjected to much expense and inconvenience, and under the terms of the Decennial Settlement they either should be allowed the privilege of paying their rents in the Mofussil, for the expense of which they are taxed, or obtain an adequate remission of jumma. On reference to the Collectorate records I find that the Kabooleut of the Meerasdar runs as follows:—

Number of Mehals	Mal in kawns of cowries.	Zillah expenses at the rate of 13 kawns, 2 puns per 100 kawns.	Dufter Sarumjamee	Nankar Canongoe.	Daily allowances granted to Idols	Total Jumma.
434	12,302	1,637	299	170	845	15,343

From this it appears that the Dufter Sarumjamee or Putwarree expenses as well as the Zillah Tehseil expenses were included in the jumma. It is probable that the correspondence in the Board or in the archives of Government may throw some light upon this matter, but even if the statement of the Petitioners be founded on fact, it gives no right of claims to the indulgence they ask for, and certainly none to a remission of jumma, as the expenses in question, whether incurred at the Sudder Station or in the Mofussil, is in reality a matter of little consequence so long as they are incurred.

One Zemindar has also petitioned for a remission of the Rozena or charitable allowance included in his jummabundee, on the ground that the allowance paid by the State has been resumed. It appears also that Nunkar lands of the Canongoes have been resumed and added to the rent roll, and reduction of jumma might, on the same ground, be

likewise claimed. The matter is deserving of attention and should be sifted and set at rest. It appears to me very doubtful whether the Meerasdars can claim on any ground an abatement of their decennially settled jumma.

Sixthly.—That the Butwarrah Law is, from the expense it involves, inoperative in the District, which circumstance is very injurious to the interests of the Zemindar?

A new Law is under consideration.

Seventhly.—That the revenue is demanded in three kists, *viz.*, on the 28th of September 8-16ths, on the 18th of January 6-16ths, on the 18th of April 7-16ths, which are not suited to the season and ought to be taken, as at Dacca, in one kist.

The Collector reported to the Board that he did not consider it advisable to introduce any change with respect to the latest dates fixed for the payment of land revenue; nor, as far as I can learn, do the majority of the landholders desire the change. The kists seem to me to be suited to the seasons of harvest in this District.

Eigthly.—That the limitation of the time within which a suit may be brought to contest the awards of the Revenue Authorities, as fixed by Regulation XLII. of 1848, is too short, as people in the District covertly get a false decree, for the three years remain quiescent and on its expiry assert their right to the land.

Such tricks, I am told, have been practised in Sylhet, but the instances must be rare, and it is scarcely credible that the passing of a decree prejudicial to another party's interest regarding land should be kept from his knowledge for so long a period. I think the Law is a good one.

Ninthly.—That the orders of the Sudder Board of Revenue restricting appeals from the decisions of subordinate Deputy Collectors to ten days from the date of decision is, in nine cases out of ten, a complete bar to an appeal, as the decisions are sometimes passed at a distance of four or five day's journey from the Sudder Station.

The Circular Order of the Sudder Board of Revenue, dated the 25th of June 1852, No. 10, applies only to judicial decisions, but in Sylhet it is applied to all orders and decisions. There is, therefore, I think, reason for complaint.

Tenthly.—That the working of Section XX., Act I. of 1845, is most injurious to the people of Sylhet inasmuch as it authorizes the payment of the surplus proceeds of an Estate sold under the Act to the recorded proprietor only, and in Sylhet it is impracticable to carry out the Registration Laws so as to get the name of every proprietor recorded in the Mutation Book.

Registration is, as I have noticed above, much neglected, but the rule is a wholesome one and it does not debar a person from applying for registration of his name after the sale.

43. (There are three Schools in the District. The Government School at the Station, a School attached to the Presbyterian Mission and conducted by the Reverend W. Pryse, and the third established by the Moonsiff of Lushkerpoor at that place.)

School.

44. Appendix C contains a Report of the state of the Government School at Sylhet drawn up by the Head-Master; it is pertinent and contains all the information desired by the Council of Education. Whatever may have been the state of the School it is now very flourishing, and is held in much estimation by the people. I would strongly recommend that the School be placed on the same footing as other English Schools, which, like it, are under the Council of Education, and that the School house, which is now being repaired, be placed under the charge of the Executive Officer. The Government Vernacular Schools have been closed.

Appendix C.

45. (The Moonsiff's English and Vernacular School is entirely supported by the schooling fees, the rates in the School being 8 annas to 2 Rupees, and those in the Patsalah from annas 2 to 8. The number of students in the School is thirty, and of those in the Patsalah thirty-seven. Mr. Assistant Collector Larkins visited the School last cold season and writes,—"I was much gratified by my visit. Were Government to do something to this School much benefit must be derived, as it is situated in Pergunnah Tanaf, which is the name of all the most educated and wealthy people of the District." The School does the Moonsiff, Ram Taruk Rae, great credit and is deserving of some support by the Government with the view to secure its permanency.)

46. Annexed is a Statement of the amount of Treasure exported from the Sylhet Treasury during the past five years and the amount of expenses incurred thereby, as also a Statement of the Receipts and Disbursements of the entire District for 1852-53. There is no scarcity of copper coin in this District, it is generally used as the medium of exchange, which is 63¼ pice for the Rupee. In consequence, however, of the Accountant-General's Circular letter, dated 9th of July, No. 813, relative to the suppression of native coin, a panic seized the Merchants for sometime and, while 72

Appendix D

Government pice could be procured in exchange for the Rupee 60 single pice were not procurable. The Circular was misunderstood, the panic was temporary and has altogether ceased.

47. The Officiating Collector complains of the method of keeping accounts in the Sylhet Treasury as being very elaborate, and the amount of books kept as very great. There is a head Towjee Nuvees and twenty-six subordinate Mohurirs who keep thirteen Seahs or Ledgers, and at the close of the day the head Towjee Nuvees prepares an abstract of the total payments. In the Treasury there are ten Potdars, and one head Potdar, and thirteen Mohurirs. The Potdars keep up ten separate account books, and the head Potdar prepares an abstract account of the whole. In like manner the Treasury Mohurirs keep thirteen separate Seahs, in which the receipts are entered in detail, and the Treasurer enters the total receipts in his Ledger. The Treasurer, the head Towjee Nuvees, and the Collector attest the abstract accounts prepared by the Towjee Nuvees and the Ledger prepared by the Treasurer.

48. In a Treasury like this, where the immense number of rent-payers necessarily afford a large opening for frauds and malversation, it is necessary to use the most restrictive precautions, and I cannot advise that any of the registers be dispensed with. The system of check would be more perfect were the Sheristadar required to compare the Chellan with the entries in the detailed accounts kept by the Tehseil Mohurirs, the Treasury Mohurirs, and the Potdars, and attest their respectives accounts; but this would entail much labor, and the detail duties of this heavy Collectorate are such that he could not find time to devote to it. One Chellan is presented by the Malgoozar, and three copies of it are made by the Tehseil Mohurirs, one is kept by the Treasurer, one by the Towjee Nuvees, and the other is given to the payer, signed by the Potdar, Treasury Mohurir, Tehseil Mohurir, and head Towjee Nuvees. Labor would be saved were the payer required to present three Chellans, and regularity would be promoted were *printed* Chellans used.

49. The records of the Collector's Office are being arranged and assorted in conformity with the orders of the Board dated 15th of June 1849. One end of the Cutcherry is occupied by the Magistrate and the Collector, the building is not of large dimensions, and the rooms and even the verandahs are filled in a degree that not only produces inconveniences but interrupts business. It has been, however, arranged that the Collector shall have the whole building, that the Sudder Ameen shall be accommodated in the Judge's new Cutcherry purchased from Mr. Stainforth, and the Sudder Ameen's be made over to the Magistrate, but the Sudder Ameen's Cutcherry requires some alteration which the Executive Officer has not completed; and connected with the subject of buildings I beg to forward an original letter from the Judge on the subject of the Church of this Station; it is a very appropriate building with a belfry, its repairs have for a long period been defrayed by local subscriptions, but repairs on an extensive scale are now required and

will cost a much larger sum than can possibly be raised. I would strongly recommend that the building be brought on the Government books and the repairs be made at the expense of the State.

50. Certain Zemindars claim the right to catch wild elephants and the Government have directed the Local Revenue Authorities to settle, in communication with the Assistant Commissary General, the terms of some arrangement whereby the Zemindars may only capture elephants in concert with that Officer. The subject is now pending before the Commissioner. The Zemindars assert that the forests in which wild elephants are caught is included within the limits of their Estates; each person's claim should be carefully investigated. From the limited inquiries I was able to make it appear that the forest lands were generally excluded from assessment and settlement at the time of the Decennial Settlement, but the Zemindar of Pertabghur has engaged for a large quantity of forest land under the denomination of Illam (in which he catches elephants), the duration of the settlement being ten years, and if, as I understand, the British Government cannot as Sovereign maintain the exclusive right of catching elephants, it follows that the Zemindar has a right to hunt them in the forest he has engaged to pay rent for. The Illam lands are settled with the Zemindar to whose Estate they are contiguous, but they are considered to be the right of the State, and Government as Zemindar can of course reserve the right to hunt elephants in them.

51. An objectionable practice prevails in this District which is felt as a grievance by the Zemindars, it is that of calling on the Zemindars, when the Settlement Officers proceed into the Mofussil, to furnish materials for erecting a Cutcherry as well as sheds for the accommodation of the Omlah and the Officer's servants. When the work is completed the Putwarree sells the materials and makes over the proceeds to the Zemindar. The loss, and there is, of course, almost always a loss, the Zemindar is made to bear. This practice should be stopped. The Settlement Officer should provide his own Cutcherry, paying for the materials he purchases.

Stamp

52. The Officiating Collector considers the exemption of Jyntea from the Stamp Law to be a most deplorable evil, as it is the cause of an immense quantity of trouble and false litigation. The people are very poor, there is not a man of any substance in the country, and I am of opinion it would be inexpedient to introduce the Stamp Laws into the District.

53. The postal arrangements in Sylhet admit of improvement. In the rains the mails are conveyed from Dacca by water. The Officiating Collector states that he went to Dacca in a heavy boat, in comparison with the Dâk boat, and passed it on his way arriving at Dacca in three days and nights. He observes,—"Considering that the Dâk boat has six boatmen, I see no reason why they should not accomplish the distance in twenty-four hours." I concur

with the Officiating Collector. The boatmen are not properly looked after.

54. Judging from the Post Office Returns, which shew that since May 1852 3,184 letters were received from the Thannah Dâk, 865 transmitted to the interior, and 981 letters passed from Thannah to Thannah, total 5,030, the people seem to make much use of the Mofussil Dâk.

Criminal.

55. Mr. Buckle is the Magistrate. He is assisted by Mr. J. P. Larkins with powers of a Magistrate, and Moulvee Soadut Ali, Principal Sudder Ameen, and Moulvee Dulawar Ali, Sudder Ameen and Moonsiff, who are all vested with special powers.

56. The principal crimes in this District are murders, arising from family quarrels and intrigues, and from the administration of drugs to procure abortion. Dacoities are very uncommon. The state of heinous crimes is shewn in the subjoined comparative Statement :—

Year.	Murder.	Homicide.	Dacoity.	Highway Robbery.	Burglary.	Theft and Cattle-stealing.	Affray attended with Homicide.	Affray with serious breach of the peace.
1851.	13	5	.....	2	344	516	2	3
1852.	15	1	.....	0	280	412	1	1
First six months of 1853 ..	8	1	.....	0	147	156	0	0

57. It is gratifying to observe that no serious affray has occurred within the last six months, and only one was committed in 1852, and in that nineteen persons, including the principal actors, were convicted. This satisfactory result is attributed by the Superintendent of Police to the success which has attended the Magistrate's exertions to bring home the guilt of the influential parties for whose benefit the crimes were perpetrated, and is very creditable to Mr. Buckle. I remark that the Magistrate not unfrequently applies the provisions of the Recognizance Act, *viz.*, Act V. of 1848, which has, no doubt, also greatly tended to check the commission of this offence, which was formerly prevalent.

58. In the murders and homicides which occurred within the half-year the offenders in six cases were convicted, and in three acquitted. The number of persons brought to trial was 25, 21 were convicted, and 4 were acquitted.

59. Fifty-two cases of theft and 39 of burglary were investigated, 54 at the requisition of the persons robbed, and 11 by order of the Magistrate. In these cases property valued at Rupees 3,962-5-4 was stolen, of which Rupees

433-10-9 was recovered, 78 persons were brought to trial, 43 were convicted, and 17 acquitted. It will be seen from the foregoing figures that the Police have not been unsuccessful in bringing offenders guilty of heinous crimes to punishment. The result of the convictions, commitments, and acquittals in heinous and petty crimes as per margin is very satisfactory. There were for trial during the six months 1,406 persons, of which number 21 remained in Jail and 83 on bail, who were concerned in 57 cases on the 1st of July. No applications or petitions of any description depended, and when I visited the Office there pended 13 heinous and 46 petty cases, in which 17 persons in Jail and 81 on bail were concerned.

Heinous Crimes.	1852.	First six months of 1853.
Convicted	200	199
Committed	63	34
Acquitted	108	42
Petty Offences.		
Convicted	1,839	781
Committed	1	.....
Acquitted	426	240

60. The Diary of witnesses in attendance for the first six months of 1853 shewed that 3,657 persons were discharged after one, 1,175 after two, 589 after three, 148 after four, 19 after five, and 6 after six days' detention. The Principal Sudder Ameen and the Law Officer appear to pay the least attention to the speedy discharge of witnesses.

61. There were only 4 cases under Act IV. of 1840 undisposed of out of 110 for trial during the six months, of these 50 were decided on their merits, 12 were adjusted or withdrawn, and 11 were dismissed on default.

62. The results displayed in the foregoing Statement are on the whole satisfactory and creditable to the Magistrate and his subordinates, and convey the impression which my inquiries lead me to confirm that criminal justice is promptly and efficiently administered.

63. The District is divided for Police purposes into 15 Thannahs or Divisions and 3 Out Posts, and the Force consists of 15 Darogahs, 17 Mohurirs, 16 Jemadars, 194 Burkundauzes. The Magistrate has appointed 15 educated Natives to Police situations and speaks well of their probity. The jurisdictions of the several Thannahs are most confused and incompact; the jurisdiction of one Thannah dovetails into the other in a most irregular manner; the villages close to one Thannah belonging to another which is a day's journey distant. The Magistrate states that he has brought the subject to the notice of the Superintendent of Police, but cannot command leisure to make a fresh demarcation and ascertain the number of villages to be transferred from one Thannah to the other. It would be better, I think, to defer the matter until the District shall have been surveyed.

64. The Superintendent of Police has recommended that the Moonsiff of Lushkerpoor be invested with the powers of an Assistant. The Magistrate

in 1851 suggested the location of a Deputy Magistrate there. Lushkerpoor is the most troublesome part of the District, it abuts on Tipperah, and the distance prevents the people from obtaining redress against the violence of their Zemindars. I am of opinion that the complaints which I received on this point are worthy of attention, and that the Superintendent of Police's suggestion should be adopted. It is proposed below that an additional Moonsiff be appointed to Lushkerpoor, the present Moonsiff will then have time to perform this additional work.

65. The number of villages according to the records of the Collector's Office is to which 3,249 Chowkeedars are attached. They are remunerated in money payments by the villagers and receive from 1 to 2 Rupees each, but they are very irregularly paid.

66. In November 1849 the Kookies crossed the frontier and attacked and destroyed three villages, massacreing the inhabitants. Colonel Lister proceeded against the marauders and burnt down the village of one of the chiefs, since then no incursions have been attempted by these marauders. Colonel Lister is entrusted with the protection of the frontier and has established two Out-Posts, one at Chargola, and one on the banks of the Largy River, where Detachments of the Sylhet Light Infantry, of the strength noted in the margin, are stockaded.

One Company at Chargola.
Half Company on the banks of the Largy River.

67. The mode of enforcing Act V. of 1848 in this District is to summon the party to shew cause why he should not be bound down to keep the peace, and if he deny the charge it is not unusual to examine witnesses to his defence in the meantime the affray may have taken place. To bind down a person to keep the peace the confirmation on oath of the aggrieved party is, in my opinion, sufficient. The party complained of should not be allowed to controvert the truth of the facts stated in the complaint; indeed the purposes of the Act would be better served were the Darogahs empowered to take security from parties in cases not admitting of the delay of a reference to the Magistrate.

68. Breaches of the peace usually originate in the establishment of rival hâts. Every Landholder has an undoubted right to establish a hât in his own lands; but it is the practice in this District not only to establish it in close contiguity to that of a neighbour, but to fix the same day for holding it, and the Magistrate states that fights, quarrels, and some murders take place constantly in this District from the simple prohibition against interference in these disputes. He recommends that the holding of rival bazars on the same day be interdicted, breaches of the peace originating in this rivalry are disgraceful, but the establishment of such hâts is of vastly preponderating public benefit.

f.

69. Disputes are continually occurring in this District on the point of jurisdiction between the Rajah of Independent Tipperah and the Courts of Sylhet, and the Magistrate suggests that the boundaries be laid down and marked with masonry pillars. I think it would be advisable to defer this necessary measure until the survey reaches the District. As regards the boundaries fixed by the Arbitrators the Collector has been directed to have the pillars erected at once without reference to the Rajah, who had contumaciously neglected to send any to be present on his behalf.

70. There is only one Ferry in this District; its present rent is 53 Rupees per annum. Nothing appears to have been done with the funds for years, and the amount available at the close of the year was Rupees 21,070-2-13.

Road

71. There is not a single road in the District. The Magistrate says:—"A tract from Sylhet to Cachar still exists in most places; carried away in many; this was constructed for the passage of Troops in the former Burmese war, but is quite undeserving of the name of a road." This road extends to Muneepoor, and in my Report on Cachar I have advised its repair. The road is, on the Muneepoor side, looked after by the Political Agent, and is, I understand, in fair order.

72. The Ferry Funds have been unsatisfactorily administered in this District. From 1842 to 1846 three works of importance were projected by the Committee, one was objected to by the Superintendent of Police as not beneficial to travellers or commercial purposes. From 1846 to 1849 no meeting of the Committee was ever convened. The present Magistrate then exerted himself to form a Committee; some meetings were accordingly held, and it was resolved to construct, firstly, a road from Sylhet to the foot of the hills. This, however, was abandoned as impracticable, except at an enormous cost; and as inexpedient, as its utility would be out of all proportion to the expense; secondly, to repair the Cachar road; and thirdly, to re-construct the road to Dacca, but neither of these projects have been further advanced, and the Magistrate states that he cannot now collect the numbers to form a Committee. The cause of this inactivity is set down by the Committee to the Superintendent of Police not affording cordial support to their propositions; but it appears to me that the propositions themselves were not presented to him in a perfect and complete form, and that he was justified in refusing his sanction to estimates wanting the verification of a competent Officer.

73. The only work completed by the Committee is the opening of two canals from Sylhet to Pundoah with the view of increasing the traffic with the hills at an expense of Rupees 1,996.

74. The Magistrate suggests the application of the Ferry Funds to the construction of a good, well-raised road from Sylhet to Dacca. The country to the south and south-east of the District is in the rains completely submersed,

with the exception of the high sites on which villages are built, and I doubt the practicability, except at an enormous cost, of the work. The road to Silchar and Mynpooree offers the most commercial advantages.

75. The number of Chowkeedars maintained in the Station is 80. The inhabitants made earnest and loud protestation to me regarding the highness and inequality of the rates and the large number of Chowkeedars, alleging that their lives and property were formerly as well protected by 40 as they are now by 80. The number was increased and the allowance was raised to Rupees 3-8 in 1848. It appears that the members of the Punchait had colluded with the wealthy and influential residents to relieve them from the payment of the tax and to place the entire burthen on the poorer classes, and Mr. Montresor, the Magistrate, revised the proceedings, after visiting each house himself, by fixing on each householder what he considered a fair and comparatively light tax: each householder has to pay on an average 1½ annas, and Rupees 304 are collected from 3,763 houses. On consideration of all the circumstances of the town, the general poor condition of the inhabitants, and the number of houses, there is, I think, some ground for the great discontent which prevails, especially as regards the inequality of assessment, as shewn in Appendix E, and I would suggest that Mr. Skipwith, the Sessions Judge, be directed to inquire into the matter.

Note.—I name the Sessions Judge because Sylhet is an out of the way Station, and the Superintendent of Police has never visited, nor is likely to visit it.

76. There is a large unappropriated surplus of the Chowkedarry Funds amounting to Rupees 3,123-12-10. The roads of the Station are extensive and in fair order, but with the bridges they require repair: there are also many swamps and low places in the town which might with advantage be raised.

77. Sylhet is a very populous District and the want of a Hospital is much felt. I am of opinion that portion of the Chowkedarry Funds might, legitimately, be applied towards the erection of a Pauper Hospital as suggested in the accompanying Report of the Civil Surgeon.

Appendix F.

78. My attention has been drawn by the Magistrate and by several respectable Merchants of the town to the obstructions in the navigation of the River Soormah in the cold weather. The river is navigable for boats of the largest size to Chattack, but above this place at the Ambaree bank it flows through a narrow channel with a rocky bed. Were the channel widened and the rocks removed the river would, I am informed, be navigable to Sylhet. The vast importance to the community of making the Soorma navigable throughout the year to Sylhet, the great commercial entrepôt, it must be superfluous to dilate upon, and I am of opinion that the Executive Officer should be directed to report on the nature of the obstructions and the feasibility of removing them.

Jail. 79. The Jail is a very commodious building, the wards are well ventilated and admit of the prisoners being kept separate under the Rule

prescribed for the classification of prisoners, but the floor of the verandahs and some of the wards of the Jail Hospital are low and damp. Separate wards are allotted for the description of prisoners noted in the margin.

Ward No	1	Dewanny and Collectorate Prisoners.
,,	,, 2	Cooks.
,,	,, 3	Hajut Prisoners.
,,	,, 4	Unoccupied.
,,	,, 5 & 6	Laboring Prisoners.
,,	,, 7 & 8	Unoccupied.
,,	,, 9 to 11	Prisoners sentenced to labor by Sessions Judge and Nizamut Adawlut.
,,	,, 12 & 13	Non-laboring Prisoners.
,,	,, 14	Female Prisoners.

80. As regards the erection of a wall outside the Jail to prevent communication between the prisoners when employed in manufactures and the town people, referred for my opinion, I would suggest, instead of constructing this wall, that working sheds for carrying on Jail manufactures be erected within the prison walls in the compounds of the different wards. There is sufficent room for the purpose, and not only will Jail discipline be greatly promoted, but a considerable reduction of the Guards may be effected by this arrangement.

81. The Civil Surgeon suggests the allowance of Butcher's meat to the Musselmen prisoners once or twice in the week, but I do not see the necessity of this indulgence.

82. There were 407 prisoners in the Jail when I visited it, *viz.*, prisoners sentenced to labor 266, non-laboring prisoners 90, under examination 17, committed 3, sick in the Hospital 18, Civil prisoners 13. The laboring convicts were employed in the manner noted in the margin. The laboring convicts are messed according to the tables of ration sanctioned by Government at a cost of 7¾ths pie per man a day. The non-laboring convicts and prisoners under examination are not messed, they receive 7½ pie per man a day and cook their own food. The Jail Manufacture Profit Fund shews a surplus of Rupees 3,444-2-10.

Employed in	cleaning Jail	10
,,	,, ,, Hospital	3
,,	as Cooks	12
,,	in making paper	30
,,	,, ,, cloth	21
,,	,, ,, baskets	10
,,	,, ,, mats	10
,,	,, ,, morahs	12
,,	,, ,, oil	10
,,	,, ,, soorkee	14
,,	,, supplying bricks for the purpose of making soorkee...	10
,,	,, hemp cultivation	5
,,	as blacksmiths	5
,,	,, Carpenters	2
,,	outside the Jail on various works ...	111
,,	in light labor in the Jail	1
	Total	266

83. I would draw attention to the Civil Surgeon's remarks on the ravages caused by small-pox. It confirms the opinion of all the Medical men whom I have met that the small pox is brought to the District and disseminated over it by the native inoculators.

84. The following catalogue of grievances connected with the administration of Criminal Justice was pressed with much earnestness by a large body of Petitioners on my attention :—

Translation of Petitions.

Firstly.—In cases of simple assault and of assaults with wounding, &c., By a late Circular Order, No. 4 of the 14th of June 1853, of the Sudder Court,

Plaintiffs are compelled to serve a notice on the defendants, but this notice is not served by the same peadah who brings their witnesses but by a separate one. This a great hardship because plaintiffs are generally extremely poor and unable to afford the double payment, and thus it happens that, owing to this newly introduced custom, many are deterred from seeking redress, although they have in reality suffered injury. Moreover the real oppressors, who generally belong to the wealthier class, are, by the above means, enabled to trump up false counter-charges and successfully carry them through the Court, while the poorer people are forced to throw up their cases. It is desirable, therefore, that the notice on defendants and subpœnas on witnesses should be served by one peadah.

issued since I left Calcutta, defendants are given the option of appearing to answer the charge by a notice served in them at the time of institution of the suit; the plaintiff is required to serve this notice, and I certainly see no objection to the notice and subpœna for the attendance of witnesses being served by the same peadah.

Secondly.—That the Laws, Act XXXI. of 1841, which debars an appeal in cases dismissed and in cases in which the defendant may be sentenced to pay a fine of 50 Rupees, bears oppressively on the people and should be repealed.

I cannot support the rescission of the Act.

Thirdly.—Formerly Merasdars and inhabitants of this town of every description were liable, when occasion arose, to be made witnesses to confessions taken before the Magistrate. Mr. Montresor, when Magistrate, directed that the Mookhtears only should be witnesses, and afterwards allowed them to entertain three salaried individuals of their body, who become witnesses in.

The Sessions Judge has interdicted the practice of the respectable Mookhtears attached to the Court providing salaried persons out of their own funds to attend the Magistrate's Court and attest confessions, and hence this complaint. They wish to revive the former practice, it obtains in other Districts and has been commented on in my Reports on Mymensing and Rungpore.

Fourthly.—In petty cases parties to suits are compelled to put into

I find that in nine cases out of ten the plaintiff supports his own witnesses

Court subsistence money for their witnesses. This proceeding benefits no one as the money is never used for the purpose for which it is deposited. It invariably remains in the Nazir's hands until after the case is decided, as plaintiffs and defendants support their witnesses without any application being made for the sum which lies in the Court.

and receives back the subsistence money deposited by him, but this is no ground for doing away with the practice of requiring the subsistence money to be deposited in the Court.

Fifthly.—Up to Mr. Sealy's time in all petty cases Mochulkas were taken from defendants on plain paper. Afterwards they were taken on stamp paper, but in cases in which a number of defendants were present a separate Mochulka from each individual was not required. The defendants, whatever might be their number, were permitted to enter jointly into one bond. At present in nearly all cases bail is required and each defendant is obliged to furnish a separate surety and to give a separate Stamp paper. As this puts parties to great expense it is desirable that the former practice of allowing a joint Mochulka should be restored.

Bails, Bonds, and Mochulkas should be taken on Stamp paper, but it appears to me to be a straining of the Law to make each defendant enter into a separate Bond.

Sixthly.—Chowkedars in the Mofussil never keep watch at night, nevertheless the ryots have to pay them their salary, and their property is attached in case of their being defaulters. The Zemindars are compelled by Law to give information of heinous offences. The ryots therefore think that it would be much better to enforce the Law strictly against the Zemindars and do away with the present system. The superintendence of the collection of the Town Tax should be vested in the Judge by modifying Section 5,

I cannot support the first prayer, but to attach the property of the ryots and Merasdars and to realize the pay of the Chowkedars from the proceeds thereof is clearly illegal. As regards the second I am strongly of opinion that the superintendence should be vested on the Judge, who is best conversant with the habits and circumstances of the people.

Regulation XVII. of 1816, as the Superintendent of Police never visits the Station.

Seventhly.—Plaintiffs are some times able to secure the attendance of their witnesses without going to the expense of causing subpœnas to be served upon them. The present Magistrate objects to recognize the presence of witnesses so brought into Court unless a petition be first given him on Stamp paper, where as formerly. all that was necessary was to take them to the Nazir, who entered their names in the list of witnesses in attendance.

This rule of the Magistrate savours of much hardship. The general practice is for the prosecutor to produce his witnesses to the Nazir and for the Nazir to enter their names as in attendance and get the Magistrate's orders for taking their evidence.

Eighthly.—By the Laws and Circular Order Magistrates may receive petitions on divers subjects on plain paper. No such petitions are ever received now except those which relate to the Chowkedarry Tax. Thus complaints of Pauper's petitions for return of documentary evidence, petitions filing the names of witnesses, and documentary proof in Act IV. of 1840 cases are rejected unless given in on Stamp paper. In short no document can be filed or returned without a suitor being put to expense.

It is, in my opinion, not required by Law that exhibits and lists of witnesses in criminal cases and in Act IV. cases should be accompanied by a petition on Stamp paper.

Ninthly.—Suitors are compelled to petition in Stamp paper before they can recover sums which have been deposited in Court by, or on their account, as in the case of costs awarded and realized by the Nazir.

By Construction 1093 it is ruled that applications for money deposited in Court must be made on Stamp as a record unless a specific order should, at the same time, have been passed for the payment of the award; but this rule is inapplicable to costs of suit awarded to parties and under the award realized by the Nazir, though, from the absence of the receiver, it may be placed in deposit.

Tenthly.—It was formerly the practice for people finding cattle trespassing on their crops to seize them and send them to the nearest Thannah, where they were impounded and a fine of four annas per cow, and two annas per sheep, was levied. The prohibition of this wholesome rule has operated greatly to the injury of the community.

This subject has frequently occupied the attention of Government but no Law has yet been enacted to protect the agricultural interests from the damage to which they are rendered liable by the trespass of cattle. I have always advocated the framing of a Law for affording protection to the cultivators of the soil from the carelessness or enmity of cattle owners.

Eleventhly.—It was formerly the practice to take Mochulkas for keeping the peace from the agents of the accused, now the accused themselves are summoned, which is the cause of much trouble and expense to respectable Meerasdars.

A discretion is vested on the Magistrate, and properly so I think, to insist upon the personal attendance of a party from whom it may be deemed proper to require security under Act V. of 1848.

Twelvthly.—It was customary, under the provisions of Regulation XX. of 1817, for the Meerasdar to appoint the requisite number of Dâk Paiks for the transmission of the Dâk. This practice has been prohibited and the Magistrate has directed that all the Meerasdars should pay to the Nazir the amount payable by each for the salary of the runners. Should there be any delay in making the payment notices are served on them, and they are made to pay the Peon's wages and boat hire in the rains for his conveyance, and then, in failure of payment, they are summoned through the Darogahs, they are thus subjected to illegal payments, and pray that the former system be re-established.

The system established by the Magistrate is not warranted by Law, but the Magistrate states that a number of Meerasdars consented to the arrangement of paying the amount due by each into his Office. The Landholders are held answerable for the due observance of the rules laid down in the Regulation and are punishable for neglect of their duty, but the Law does not authorize the Magistrate to realize the sums due to the runners.

Thirteenthly.—It is the practice in the Civil Court for the Judge to enter in a Book called the "Yad Dasht Bai" the final order passed in every case, and for the Pleaders to attest the said entry by their signature. If

I see no objection to the introduction of the practice adopted in the Civil Court into the Fouzdarry Court. As regards Act IV. of 1840, cases which partake of the nature of Civil suits, I am of opinion it would serve as a

this practice were introduced into the Fouzdarry Court the benefit would be great, as orders are often passed without the knowledge of the Mookhtears, and the time allowed for filing proofs often passes away before the order is made known. wholesome check on the passing of hasty and inconsiderate orders.

Civil

85. The following was the state of the Courts in this District on the 1st of July 1853 :—

		Pending on the 1st of January 1853.	Instituted in the first six months of 1853.	Total Cases.	Decided on trial.	Total disposed of.	Pending on the 1st of July.
Before the Judge ..	Appeals	32	50	82	66	67	15
„ the Principal Sudder Ameen ...	Original Suits ...	49	27	76	22	26	51
	Appeals	1	54	55	42	43	12
„ the Sudder Ameen	Ditto . ..	0	0	0	0	0	0
„ the Moonsiff ...	Original Suits ...	1,638	2,586	4,224	1,412	2,252	1,972
	Total ...	1,720	2,717	4 437	1,542	2,387	2,050

Of the total number of cases decided 463 were dismissed on default, 382 were adjusted or withdrawn, and 360 were decided on confession of judgment.

86. The value of the suits instituted in 1852 was as follows :—

Above	1	Rupee	...	...	...	...	...	29
„	1	„	and under	5	Rupees	...	...	277
„	5	Rupees	„	10	„	...	...	614
„	10	„	„	20	„	...	...	1,377
„	20	„	„	50	„	...	...	1,353
„	50	„	„	100	„	...	...	389
„	100	„	...	...	...	...	...	327

and of these suits 1,812 were debts on bond or otherwise, 119 were suits connected with sugar and other products, 205 were suits for real property, and 162 for suits connected with land rent. The remainder does not call for specification as there is no other description of suit of marked prevalence in this District.

87. The state of the file as regards suits and appeals pending above one year on the 1st of January was as follows :—

Before the Principal Sudder Ameen	...	Original Suits	...	17
„ the Moonsiffs	...	...	...	„	...	21

This result is not at all satisfactory, and on looking over the cases in the file of the Principal Sudder Ameen I find that it is in a great measure attributable to a want of observance of Section XII., Regulation XXVI. of 1814, and the rules laid down in the Circular Order of the 3rd of January 1845 for preparing cases for decision. The Judge has called the attention of the Native Judges to this subject.

88. The Judge has also in the accompanying letter addressed to me expressed his opinion that the delay in preparing a suit may be greatly obviated by rescinding that part of the Circular Order of the 3rd of January 1845 which states that the next Court day on which the plaintiff is required, under Section V., Regulation IV. of 1793, to reply may mean any day within the period of six months; this construction he considers repugnant to the wording and spirit of the Law above quoted. I do not think, with reference to Act XXIX. of 1841, that the construction of the Court is incorrect. The Judge also shews by the accompanying Table that a case may be legally delayed nearly one year for the completion of the pleadings only, and proposes to modify the Law which admits of the reception of supplemental plaints and to rescind Section XII., Regulation XIV., of 1814, making it incumbent on parties to be prepared with their exhibits and lists fixed for their trial on the day fixed for the trial. As the whole system of conducting the trials of the Civil Suits is under consideration of the Legislative Council, I hope the evils alluded to will be soon remedied.

Appendix G.

89. Further, there is much delay in drawing up the Section X. Roobakaries, which is the preliminary proceeding to the hearing of the suit, and on referring to the pending cases before the Principal Sudder Ameen and Sudder Moonsiff I found that the period which elapsed between the date on which the last pleading was filed, and the date on which the Section X. proceeding was drawn up, averaged, for the former's cases (twenty-six in number), one month and twenty-six days, and for the latter's cases (169 in number) two months and seventeen days. The longest period between the above intervals was seven months and four days in a case before the Principal Sudder Ameen, and eight months and twenty-eight days in a case before the Moonsiff.

90. The average period during which the regular suits and appeals, 916 in number, decided in the Zillah Court of Sylhet in 1852, were pending was five months and eleven days, and in original suits before the Moonsiffs the lowest average was three months and six days, and this statement embraces every description of decision, *viz.*, cases decided by compromise and by confession of judgment as well as those struck off on default The tardiness with which justice is administered in civil cases, the large majority of which in every District I have visited involve claims for small amounts, is a crying evil, but as it is now engaging the attention of the Legislature I need not pursue the subject further.

91. The state of the Miscellaneous file on the 1st of July was as follows —

		Pending above half-year.
Judge	14	1
Principal Sudder Ameen	54	12
Sudder Ameen	31	10
Moonsiffs	2,200	51

92. The Miscellaneous cases disposed of in the first six months of 1853 is shewn below :—

	Remaining undecided on the 1st January 1853.	Instituted on the first six months.	Total.	Disposed of by an order.	Total disposed of.	Pending.
Judge	16	112	128	111	116	14
Principal Sudder Ameen	41	79	120	45	67	54
Sudder Ameen... ...	33	41	74	35	43	31
Moonsiffs	1,005	2,423	3,430	1,431	2,230	1,200

93. The number of pending cases is large, and those above one year especially so, requiring the Judge's particular attention. The Principal Sudder Ameen's file is very heavy.

94. The Statement in the margin shews the number of appeals preferred from the decisions of the Principal Sudder Ameen and Moonsiffs and the number reversed or confirmed. The number decided on trial in the first months of 1853 by these Officers, excepting cases compromised or in which judgment was confessed, was 1,134. The paucity of appeals, though it speaks well for the Native Judges, is in some measure attributable to the prevailing agricultural distress.

	Appeals pending on the 1st January.	Instituted during the six months of 1853.	Total.	Modified or reversed.	Confirmed.
Principal Sudder Ameen ...	10	12	22	12	6
Moonsiffs	22	88	110	24	24

95. The increase in litigation during the last three years attracted the notice of the Court, and the Judge, in explanation, stated that it seemed to increase and decrease according to the goodness or otherwise of the crops, and my inquiries lead me to the same conclusion.

96. A large number of cases is pending, and is apparently at all times pending at Lushkerpoor; the country is stated to be populous and to have much trade in cotton and rice. The Moonsiffship of Sunkerpassa was amalgamated with that of Lushkerpoor in June 1838, but it appears that the salary has ever since been entered on the Establishment though not drawn.

This is an irregular practice, the salary is deducted from the Bill as appertaining to a vacant office.

97. From the accompanying Statements submitted by the Judge it will be seen that on comparing the quantity of work pending in both the Moonsiffships during the three years prior to the abolition of Sunkerpassa with that of the last three years pending before the Moonsiff of the Joint Chowkies, that there has been a great increase of suits of all denominations during the latter period. There is now pending on the Moonsiff's file the large number of 487 regular suits and 223 Miscellaneous cases, and, concurring in opinion with the Judge, I would propose that an additional Moonsiff be appointed to Lushkerpoor. The Moonsiff of Latoo has only eighty cases on his file, but the extent of his jurisdiction and the distance it is from other Chowkies appear to me to present an insuperable obstacle in the way of its abolition.

Appendix H.

	Pending on the 1st of January 1858.	Instituted during the six months.	Total.	Decided.	Pending.
Regular suits	424	635	1,070	530	487
Miscellaneous cases ...	153	483	636	413	223

98. I find on enquiry that the jurisdiction of the Moonsiffs is in general as confused and irregular as is that of the Darogahs, for instance, the Pergunnah of Koorsa, which is about an hour's walk from the Nabbeegunge Chowkey, is one day's journey from Azmeerigunge, to which it is attached. As regards villages there are greater anomalies, and they exist, though perhaps not to so great an extent, in Mymensing and in most other Districts. It would, I believe, tend to the public benefit, and to decrease the expense of the judicial establishments, were measures taken throughout the country to make the jurisdiction of the Moonsiffs of a compact size, and to place the Station, as far as possible, in the centre of it.

99. In the petitions I received the following matters connected with Civil justice which were made subject of grievance seem deserving of notice :—

That the inhabitants who are generally very poor are subjected to much hardship and expense in being obliged to go down to Calcutta to file their petition of special appeal.

I am much inclined to suggest that the privilege acceded to the Assam and Arracan people of filing their petitions of special appeal before the Judge be universally adopted in a country like Sylhet, where the sub-division of property has been carried to so large an extent, the hardship is severely felt. The Law of special appeal is now under the consideration of the Supreme Government, and I beg to suggest that this matter of complaint be laid before it.

That, when in order to receive exorbitant interest, the creditor refuses

I cannot support this prayer, but I am of opinion that liberty should be

to receive from the debtor due interest, it is only just that the debtor should be allowed to deposit it in Court.

given to a debtor on an action brought against him to pay such amount as he may consider due into Court.

That in consequence of the minute sub-division of land in Sylhet much inconvenience is experienced in complying with the precedent of the Sudder Court, ruling that each plaint should distinctly specify the boundaries of the land sued for, and this order specially affects auction purchasers, who can get no trace of the land until local enquiry conducted by an Officer of Government shall have disclosed it. That the difficulty of getting possession has been increased ten-fold since Regulation XI. of 1822, which authorized the Court to give possession through the agency of an Ameen, was rescinded, the consequence of which is that Estates are sold much below their value, for few persons will venture to purchase land at a public sale in consequence of the difficulties they are subjected to in finding out what lands to sue for.

This is a matter of much importance and is deserving of serious attention, for my inquiries lead me to believe the general correctness of the allegations. There is one notable instance of the difficulties which auction purchasers labor under.—Mahomed Saleem purchased some Estates and unable to get complete possession instituted in the different Courts between twenty or thirty suits, and, saving a few cases, the whole were non-suited for want of specification of boundaries. The only remedy for this evil is to extend the survey to Sylhet as soon as possible, and to ascertain the precise area of the land which forms each Estate. The work will cost a large sum. It will, I fear, be necessary to measure field by field the whole District, but both Government and the public will be great gainers by the measure. It is not, I find, the case that Estates fetch less than they did before Regulation XI. of 1822 was repealed.

That Regulation V. of 1843, emancipating slaves, has caused the ruin of the respectable families of the District and should be annulled.

I cannot support this proposal.

That the tax in Law proceedings in a poor District as Sylhet, is grievous and deters many persons from prosecuting their claims and should be remitted.

I see no reason to interfere with the existing state of things.

That Act XXI. of 1850, granting to any person the right of succession to his paternal Estate, though he has become an apostate to the religion of his forefather, be rescinded, as it is repugnant to the Shaster.

I cannot support this proposition.

That complainants are put to great and unnecessary expense in being compelled to file copies of papers and evidence belonging to another record with the case under investigation when the record itself can be referred to, and that in many cases complainants, from inability to bear this expense, are compelled to abandon their claims.

Every record must be made complete in itself, and the papers relating to the case should be filed with it; but the expense is, no doubt, in some cases, considerable, and should certainly be added to the costs at the discretion of the Judge. This is not allowable under the existing Law.

That the construction of the Sudder Court rendering it obligatory to non-suit a plaint if the document on which the suit is founded do not bear the proper Stamp when 'pleaded' bears with severity on complainants, and that the former practice allowing the party to take it back and get it stamped was consistent with Law and justice.

I have noticed this matter in my other Report; the Court have recommended a modification of the Law.

100. There were for trial fifteen commitments and 158 appeals of every description during the six months; there remained one of the former, and eleven of the latter, undecided on the 1st of July 1853, of which two only had pended more than a month, *viz.*, for one month and four days each. These results are very satisfactory, and I am of opinion, the general administration of Civil and Criminal justice is efficiently supervised by Mr. Skipwith.

101. Some Sessions trials are held with Assessors, it is the practice to select the Assessors from amongst the most intelligent Pleaders of the Court, and now and then the services of a respectable Landholder and the Kazee of the town are secured.

102. The records have been arranged up to the past month of June, but there is a large quantity of useless paper to be destroyed. The books of the Register of Deeds are in a good state of preservation.

103. This being the last Regulation District comprised in my visitation tour I beg, in concluding this Report, to offer a few observations on the following points which, being of a general nature, I have not dwelt upon in my District Reports :—

General

104. The separation of the Office of Magistrate and Collector. When I entered the service the Office of Civil Judge was united with that of Magistrate. The former was then separated and the Offices of Magistrate and Collector were combined. The union worked well, and was continued until

the vigorous enforcement of the resumption Laws overwhelmed the Collector with work, when it was considered that the Police and Magisterial were neglected for the fiscal duties, and it was determined to separate the two Offices, except in Cuttack. Being at the time attached to that Province I never held the separate Office either of Magistrate or of Collector, and I cannot therefore speak from personal experience of the working of the present system; but as far as I was able to judge of it, from what I have seen and heard from others, I am of opinion that the separation of the Offices has not answered. The Police is not more efficient than it was before the change took place. The Magistrate has, I find, little influence and weight in the District; he is generally a young inexperienced Officer, who has all to learn, and who, just as he has gained the requisite degree of practical knowledge, is promoted to the Office of Collector. On the other hand the union of the two Offices places at the head of the District an experienced Officer, to whom the people look up to as its Governor; it gives him great power which commands the respect of the people; it secures, as far as can be secured, the co-operation of the Landholders in bringing offenders to justice; it enables him to exercise an extended superintendence over his District, and gives him great advantages in its management, which cannot but tend to its general improvement.

105. The causes which led to the separation no longer exist. The duties of the Collectorate are generally very light, and it appears to me to be a waste of power to employ a Collector in each District on a high salary and with comparatively little to do, and not to make use of his knowledge, influence, and wider experience in aiding the Magistrate in the prevention of crime and the detection of criminals.

106. The next point is the distant and ineffective superintendence which is exercised by a single Superintendent of Police. I have noted in my Report that the Superintendent of Police has never visited Serajgunge, Mymensing, or Sylhet. Rungpore and Bogoorah he has visited once or twice only at very long intervals, and these facts alone shew the utter impossibility of one Superintendent of Police exercising an effective superintendence over all the Magistrates and all the Police in Behar and Bengal. In my opinion it would be a better plan to make all Commissioners Superintendents of Police in their respective Divisions, as they are in the North-Western Provinces, Cuttack, and Chittagong, and to constitute them, what they really should be the representatives of Government in their Division in all Police and Revenue matters, as well as in all matters connected with the general improvement of the country. Moreover if the Magistracy with the Collectorate be, again adopted, it would be essential to its well working to give the control of the Police to the Commissioner.

107. The third and last point is the administration of the Ferry and other Local Funds. In these matters, I am of opinion, the supervision of the Commissioner might be advantageously substituted for that of the Superintendent of Police. The Commissioner is the person best acquainted with

the state of the roads and the general requirement of each District, and is, therefore, the most competent to direct and control the acts of the District Committees. The Rules for regulating the expenditure of the Funds are also, in my opinion, susceptible of improvement. The roads are throughout the country, have been generally neglected, and much money has been thrown away in not keeping in repair the roads which have been made. In Sylhet, it will be observed, the administration of the Funds has been most unsatisfactory. In Rungpore the roads in the interior have been abandoned, and the Funds expended in repairing the public Dâk road. It should, in my opinion, be distinctly declared what roads should be repaired by the Executive Officer at the general charge of the State, and to what purposes the Local Funds of the District should be applied. The postal roads should, in my opinion, be repaired by the Executive Officer, and the expenses charged to the revenues of the country, to the improvement of the Station, and the roads around it which are used chiefly by the residents for the purpose of enjoying air and exercise, the surplus collection of the Chowkedarry Funds should be devoted, Government affording such other pecuniary assistance, where the Funds are inadequate to the purpose, as it may deem proper. The Ferry Funds should be exclusively applied to opening internal means of communication with the bazars, rivers, large town and Government roads, and generally to promoting facilities for traffic. The Commissioner of the Division should be President of each Committee in his Division, each District should depend on its own resources, excepting where it may be necessary to provide for the keeping up of great lines of trade between neighbouring Districts so as to facilitate the commercial intercourse of the Districts between each other and the country at large. In such case the Government should reserve to itself the power of making an allotment of the Funds of the Districts benefitted thereby.

108 The Funds assigned to the Committee are, under Rule 11, to be applied at its discretion, but its discretion is, I find, much fettered in applying them by the orders of the Superintendent of Police in respect to two points.

109. The Accountant's Circular states that the balance at any time exhibited at the credit of the appropriate Funds will always shew the actual amount disposable by the Committee, and it was supposed that an Executive establishment could also be entertained within one-fifth of such balance, and not merely of the assignment, but the Superintendent ruled that, though the Committee can dispose of any sum at credit of the appropriated Funds, yet the establishment must not exceed one-fifth of the assignment.

110. Again by Rule 12 it is said that no new work estimated at more than 1,000 Rupees shall be commenced without sanction. It was the practice to consider the construction or repair of the road and the bridges upon it, if separately estimated at above 1,000 Rupees, to come within that Rule; but the Superintendent of Police has ruled that the repairs or construction of works along any line of road if in the aggregate exceeding 1,000 Rupees in the estimate must first be sanctioned. These restrictions are distasteful to the

Committees, who complain of the want of confidence which is placed in them. I am of opinion that the Committee might safely be entrusted with the power of applying the Funds assigned to it, whatever be the amount, reporting annually in what manner they have been applied; and further, I would suggest that their Reports be published for the general information of the public. The Press exercises the best control over the proceedings of Committees composed of persons in and out of the services, and such publications will stimulate the members to take greater interest in their undertakings.

I have the honor to be,

SIR,

Your most obedient Servant,

A. J. M. MILLS,

Officiating Judge, Sudder Court, (on Deputation.)

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